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DISTRICT

May 23, 2003

Comments on the Little Canyon Mountain Fuel Reduction Project EA

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Our organization, and the organizations signed on below, have reviewed the EA for Little Canyon Mountain. These comments represent the combined concerns of the League Of Wilderness Defenders-Blue Mountains Biodiversity Project, the Northwest Environmental Defense Center, the Cascadia Wildlands Project, and the Juniper Group of the Sierra Club. Any communication concerning these comments should be sent to the SW Office for BMBP, as well as to the addresses listed below for the other organizations, thank you. The FOIA contained herein should be sent to LOWD-BMBP at the SW Office. We have the following comments, concerns, and issues:

- I. The project purports to be designed as a "fuels reduction" commercial logging project. Originally it was designed as an old growth sale logging many trees over 21" dbh. The current EA proposes meeting basal area target formulas, and allows for the logging of trees over 21" dbh in most of its action alternatives--in blatant violation of ICBEMP credible science, numerous wildlife species habitat needs, and regional interim directives. No mmbf figures are given anywhere within the EA, obfuscating the proposed project's full potential adverse impacts to the area's ecosystems by utilizing basal area figures and dollar values instead.
- A. Regional scientifically-based ecological conservation goals, adopted by federal agencies utilizing ICBEMP Interim Guidelines and Directives, are jeopardized by this unlawful project. The regional, inter-agency prohibition on logging conifer trees over 21" dbh, was adopted by federal agencies throughout the Interior Columbia River Basin ecosystems in an attempt to meet minimal scientifically based habitat requirements for numerous late and old structure forest-canopy dependent wildlife species. This directive was adopted due to the significant (and still continuing) declining population trends of numerous LOS dependent wildlife species, due to the management-caused (logging, livestock grazing, road building, etc.) loss of viable LOS forest habitat. Scientists and Federal agencies acknowledged that numerous forest wildlife species populations had been decimated far below historic numbers, and some species have been

extirpated from historic ranges (fisher, bull trout, steelhead trout, salmon, pine marten, wolverine, goshawk, various neo-tropical migrant and native birds, wolf, grizzly). The agencies (BLM, USFS, USFWS) also acknowledged that they had not conducted the necessary population and/or habitat surveys to determine the current status of many LOS forest-dependent species. The “interim guidelines and directives” were adopted in an initial attempt by federal managers and agency scientists to begin address the federal requirements of meeting wildlife and fish species habitat and viability needs, as well as a beginning attempt to reverse these species population declines. The EA for this project fails to disclose:

1. The existence of these ICBEMP directives or the science upon which they are based.
2. The completion of agency wildlife and habitat surveys, population status research, or the achievement of regional forest-wildlife viability goals—or, as likely the case, if these surveys and research have not been completed, and the declining population trends of numerous LOS forest-dependent wildlife species have not been reversed, why these scientifically-based conservation goals have been abandoned in favor of commercially logging inherently fire-resistant old, large diameter trees.
3. Any regional agency amendment suspending these ICBEMP directives, guidelines, and conservation goals for this project—and why the EA proposes action alternatives which are in contravention to agency and scientific goals.
4. Indeed, given that the reasons ICBEMP directives and wildlife habitat protection provisions have not been as yet rectified, why has BLM proposed the LCM project as perhaps the first timber sale violating these provisions? Most of the action alternatives within the LCM EA are in unlawful violation of federal laws and in contravention to federal and scientific conservation goals, and would further imperil numerous wildlife species. The LCM EA calls into serious question the “integrity” of the agency itself. Implementation of the LCM project under any of the commercial logging action alternatives presented would be opening the door for yet more timber sales logging old growth trees in the "Eastside" forests. With LOS forests, and old growth trees, rare throughout the region, and numerous forest species dependent upon them still seriously imperiled, it is clear that the LCM EA has failed to address the inherent adverse impacts, as well as the significance, of its proposed logging action alternatives. With so many area wildlife species still seriously threatened, it is abundantly clear that we need to hold onto--and strengthen--what conservation protections exist, including not logging old growth trees over 21" dbh. Scientific research supports extending these

protection directives even further, including lowering dbh prohibition limits to 15" or even 12" dbh.

- II. The EA also includes an alternative "B" named after our project, which takes verbatim our "Minimum Mandatory...Restoration Guidelines" as the alternative--also a first for BLM. Unfortunately, this is clearly just part of a BLM attempt at a "lawsuit-proofing" strategy, as the EA fails to seriously address any of the issues or direction raised by this alternative, intentionally misrepresents the actual impacts of this restoration alternative throughout the EA with its false computer based formulas (garbage in-garbage out), and fails to develop this alternative into an implementable, cohesive proposal. The first notable instance where the information and clear intent of our project's advice is intentionally misrepresented appears on the second paragraph of page 34, regarding "fuel breaks." The LCM EA distorts our project's restoration guidelines as pertaining only to the 1000 foot narrow strip of land buffering area communities from "wildlands" forests. Our intended recommendations concerning "fuel breaks" addressed the usual BLM/USFS plans for near clear-cut breaks in forest cover in the urban/wildlands interface areas. Such intensively logged "buffers" have been clearly proven to be unnecessary and ineffective. However, during the field visit to LCM with BLM personnel working on this project, including both Brent Ralston and Dan Tippy, I made it explicitly clear that our project would support a true restoration project covering the entirety of LCM, utilizing our restoration guidelines—removing ladder fuels and thinning up to 12" dbh trees where needed throughout the project area. It also should have been very clear to BLM that, for the larger project encompassing the entire LCM area, we supported conducting a thorough NEPA process (EIS) to develop and analyze the restoration needs and alternatives, while, for the immediate buffer area of up to 1000 feet of the urban/wildlands interface area, we felt that an expedited decision could be done during last years pre-fire season—to minimize the risk of fires to area residents. Instead, BLM failed to conduct the needed buffer area project in an expedited decision process—using the recommendations given in our letter. BLM also failed to conduct an EIS for this project. And BLM intentionally misrepresented our restoration recommendations, limiting the scope of the LCM area where understory and ladder fuels thinning is truly needed, and instead applying our recommendations to only a ridiculously narrow strip limited to only 1000 feet. As well, we had clearly requested that BLM develop a full range of conservation-science based alternatives. Even if BLM claims that they "honestly" mistook our recommendations to be so ridiculously limited, they could have easily developed an alternative which would have applied the restoration guidelines to the entire LCM project area (as we intended they be), or have called us at any time to clarify their "misunderstanding." BLM chose to do neither, developing intensive commercial logging formulas based upon falsified and obfuscating basal area formulas and fraudulent "historical" conditions. Given the consistent, repetitive misrepresentation and sabotaging of this purported "alternative" throughout the LCM EA, it becomes clear that it was included not because the

agency has ever considered seriously selecting it, but rather in an unethical attempt at "legal" subterfuge. By its inclusion, the agency can attempt to claim to the courts, during judicial review, that they've considered and "disclosed" all "scientifically" based options. Meanwhile, all the other action alternatives presented allow the logging of old growth trees, and would further degrade the area's ecosystems. But, as in BLM's view, the laws do not require the agency to select the best, scientifically and ecologically sound alternative, the agency clearly hopes to subvert federal laws, credible science, and the courts themselves in this thinly veiled attempt to commercially log the area's forests, including some of its "logging-taboo" greater than 21 inch dbh old growth trees. Despite such deceptive trickery by the BLM in this flawed EA, we remain willing to work with the agency to develop a full range of scientifically sound, effective, site-based legal conservation alternatives for the LCM area. However, the agency must agree to follow the legal requirements of the NEPA and accurately disclose the true impacts and effects of not only "alternative B" but of all other alternatives presented as well. We herein request a new EIS which analyzes the effectiveness and impacts of alternative B as applied not to just a mere 1000 foot-wide buffer strip, but to the entire LCM project area as intended.

III. Some portions of the project area contain good mature (and recovering LOS) forest habitat, especially near the Strawberry Wilderness. However, much of the project area has had over a century of adverse logging and mining impacts. Due to its proximity to Canyon City and John Day, Little Canyon Mountain likely was clear-cut in many areas in the latter half of the 19th century when both Canyon City and John Day were first constructed--and then rebuilt after burning down (Canyon City burned twice, and John Day once, in the 1800's). The EA fails to analyze or disclose this information, or utilize this in developing their pseudo "pre-European" settlement, "turn of the century" "historical conditions" misinformation. By the end of the 19th century, Little Canyon Mountain had been heavily logged and riddled with mines and access routes, rendering it unrecognizable from its previous forested historical pre-European settlement conditions. Indeed, the first significantly heavy logging of this area began as early as the 1860's, with the emergence of the mining settlement of Canyon City.

A. The 1898 historic snapshot of vegetation conditions is highly questionable. This picture was taken after a time of significant human impacts to the area's ecosystems, which dramatically and adversely altered the area's once natural forests and disrupted a centuries-long cycle of climatic and vegetative dynamics. As such the conclusion that juniper was not a significant part of the ecosystem is highly questionable. The BLM has not adequately addressed the possible origins of this historic picture in relation to logging, mining, grazing, anthropogenic fires (both native and European), etc. Regarding the many questions raised by BLM's use of the 1898 photo, and the LCM EA's stated assumptions regarding pre-European settlement conditions:

1. Canyon City was first constructed in the 1860's and John Day began sometime not long after--definitely before 1898. Both towns required a significant amount of construction lumber which were reportedly logged from the adjacent forests including Little Canyon Mountain.
2. LCM was also being mined heavily beginning decades before the 1890's (1847 or so). LCM area forests were decimated to meet the many needs of the area's miners for lumber and fuel.
3. Both towns experienced 19th century fires which devastated them--twice for Canyon City, and once for John Day--necessitating their reconstruction. Again, logging adjacent forests provided the needed lumber, and again Little Canyon Mountain's remaining forest were likely logged off.
4. It is likely that LCM's forests, or what remained of them after the extensive logging and mining, burned in these above fires—especially the two fires which devastated nearby Canyon City. Both this likely potential, as well as the ravages of time—over 100 years—account for the lack of stumps on the mountain.
5. In addition to the mining operations needs, local firewood heating needs required significant amounts of wood and lumber.
6. Nancy Langston, in both her earlier dissertation, and later published book version entitled "Forest dreams, Forest Nightmares," touches on some of these issues and impacts. She also cites the 19th century additional impacts from area ranchers, including sheep ranchers, who used to torch areas of forest to create grassland pasture for livestock grazing. Again, Little Canyon Mountain, as well as much of the surrounding area, is likely to have suffered such impacts to its ecosystems in addition to the mining, logging, and firewood gathering. By the late 19th century the area ecosystems nearest Canyon City and John Day had been severely impacted and were far from their historic 'pre-European' settlement conditions.

BLM staff working on this project were notified of these above facts and issues several months ago while touring the area with me. I told them then of Nancy Langston's book (including its title) and research, and that the EIS they needed to do for this project must disclose the truthful reality and actual timeline of impacts by human settlement on the Little Canyon Mountain area. The EA's claims, in spite of BLM's knowledge of all the above, are tantamount to intentional deception and fraud. The LCM EA clearly violates federal policy laws such as NEPA and FLPMA, as well as numerous federal court decisions. The LCM project uses these false "historical stand composition" formulas throughout its EA. In this instance, using stand composition from circa 1900, after the area was decimated by logging, mining, fires, and livestock grazing repeatedly in the latter half of the 1800's. The agency now is attempting to claim that these conditions were the "pre-European settlement" stand compositions

found on LCM, and has based much of their alternative action proposals on these false “historical” formulations (should be “hysterical” except such intentional fraud constitutes wanton criminal behavior punishable by federal and state laws). Similar, though blatantly more egregious, to the FS claims in Idaho and Montana exposed by Keith Hammer in his "Ponderosa Poster Child" expose, these false formulas need to be exposed and those responsible for them held legally and professionally accountable.

- IV. Little Canyon Mountain is adjacent to Canyon City, very near John Day, and borders the Strawberry Wilderness as well. BLM proposes "management" on up to 2200 acres of this area. Politically, this sale has become very "charged" in the Grant County area, with its local paper--the Blue Mountain Eagle—and various misinformed area residents writing letters to the editor (including the paper publishing a letter calling for harassing phone calls to our homes and offices) repeatedly attacking our non-profit Biodiversity project regularly in its paper for well over a year now. BLM, as well as the local USFS personnel, have not been exempt from the intensity of public and political pressure to log the area's public lands forests, including the pressure to log large old growth trees. Political pressure has come not only from the local communities timber industry dominated governments, it has come from the region's Congressional representatives, as well as the Bush administration. In a warped, biased logging supportive way, the EA for the LCM project acknowledges this. The EA refers to the infamously destructive “Salvage Rider” of a few years back (which the EA fails to disclose left many thousands of acres of stumplands devastation in its wake, and was almost unanimously condemned by the scientific and conservation communities as a timber-industry hoax based upon unscientific, biased misinformation with ecologically devastating results to public lands forests across the nation). The EA also brings up the current Orwellian double-speak “Healthy Forests Initiative,” which has not even been passed into law as yet (and hopefully for the sake of the wildlife and ecological integrity of natural forest ecosystems never will be!). Both of these pathetic pieces of twisted legislation are known by the majority of conservation scientists and ecological advocacy organizations to be ill conceived, scientifically and ecologically unsound, timber industry profit-driven political attempts to circumvent federal laws, logging forests at irreparable expense to ecosystems, wildlife, and fish (as well as the generations of our children's children yet to be). Yet the EA fails as well to even mention other legislation, such as the National Forest Protection Act, also pending in Congress with numerous supporters, which would mandate true science-based restoration and protections for natural ecosystems and wildlife on all public lands. NEPA requires that federal agencies disclose all pertinent information in a factually accurate, unbiased manner, so that the public and the decision maker can have the benefit of the full range of information before making any decision leading to irretrievable actions and consequences. The failure of the EA to disclose the above information, but instead to merely parrot unscientific, political and industry-driven rhetorical dogmas violates the requirements of the NEPA. The EA for this project needs

to be withdrawn, and a comprehensive EIS conducted to address these issues clearly and fairly.

- V. Our concern with the area from a wildlife perspective comes primarily from its bordering the Strawberry Wilderness, and the habitat values of some of its mature and recovering LOS stands near the wilderness boundary along the top SE portion of the project area (along the N/NW portion of the wilderness). Among the wildlife and fish species, and habitat concerns are:
- A. Due to LCM's proximity to the Strawberry Wilderness, it likely serves as a potential dispersal and corridor route for some wildlife species, especially during nocturnal hours and winter months when there is less human intrusion into this area. The EA for this project fails to address this issue, and analyze or disclose the potential impacts to wildlife species. The agency has also failed to conduct adequate surveys, including night camera research, to ascertain the current wildlife use of this area. Without such information, it is not possible to legally issue a FONSI for this project, nor for the project as proposed--in all of the action alternatives except B--to legally go forward.
 - B. Although approximately 85% of LCM is agency listed as "crucial" winter range for Mule deer, the EA fails to disclose what the management requirements from the RMP are, and fails to assess the project's likely impacts to mule deer. It is clear that implementation of this project would result in a significant loss of hiding cover, as well as increased human access to the area's forests, which would be increased with the project's improvement of existing roads. The new EIS for this project needs to address this issue, and the alternatives and FONSI adjusted to meet the wildlife needs of the area.
 - C. Within the John Day RMP virtually nothing about mule deer winter range is found except for the sparse information that "habitat changes" must be monitored, and that winter range for mule deer must be "monitored, maintained, and improved." However, the EA completely fails to disclose any information on monitoring results over the last 18 years, though such information is extremely pertinent to this project (and needed before a FONSI could ever be signed). The LCM EA also fails to disclose or analyze how this proposed project could begin to maintain, yet alone improve, the area's mule deer winter range. Again, new NEPA documentation must be conducted which sufficiently addresses these issues. Until that time the FONSI, and this EA, must be withdrawn.
 - D. The EA states there is an active goshawk nest in the area, but does not disclose if raptor and other wildlife surveys are ongoing or how thorough any previous surveys have been. As nesting places and patterns change anew each spring season, it is important that surveys are ongoing and seasonally/annually conducted—especially within areas proposed for projects such as LCM. BLM's RMP says that human activity must be restricted near active raptor nests. Numerous scientific studies on this species have clearly shown that logging within post fledgling areas often results in the death of fledgling young, and the abandonment of the area by

Goshawks and other wildlife species. BLM is required by the NEPA to disclose this information. BLM is also required by other federal environmental policy laws to provide for the continuing viability of Goshawks and other wildlife species. These requirements include the utilization of new scientific research information to modify proposed actions so that they do not further imperil wildlife species of concern such as Goshawk. The EA also fails to disclose that this species is currently proposed for up-listing under the ESA. The FONSI, again, must be withdrawn and these issues adequately addressed in a new NEPA document.

- E. Though this proposed project would remove many current and future large diameter snags, the LCM EA fails to disclose or analyze the project's impacts upon any of the many wildlife species which are snag-dependent (including cavity nesters and excavators). The agency's current guidelines for snag retention are incapable of providing for viable populations and prevent trends toward ESA listing of many species (and thus in violation of existing federal laws and policies). The EA mentions the DECAID snag model but does not explain its relevance, and instead fails to mention the pioneering research of Evelyn Bull or the protection provisions resulting from the inter-agency ICBEMP. Incredulously, while painting pictures of increased insect-caused tree mortality, the LCM EA proposes to remove "dying" trees that are the essential habitat for the many species which are the natural predators of these insects. If the BLM truly desires to limit the extent of the area's beetle-caused tree mortality, it must make provisions for the retention of needed habitat for woodpeckers, cavity and tree nesting birds and other insectivores which play an essential role in keeping forest ecosystems healthy. The EA also discloses no information regarding any surveys for woodpeckers and cavity nesters which are utilizing the area, and fails to address the likely impacts from this project to their viability and habitat. The FONSI must be withdrawn and the project modified to utilize the research and protection provisions of credible wildlife and ecological science.
- F. Without conducting the requisite surveys, including nocturnal camera stations and winter season tracking surveys, the LCM EA claims that lynx habitat is non-existent. However, given the recent court decision in *ONRC v. USFS*, the clear need for both increased ongoing lynx surveys (which could employ trained local personnel), and NEPA analysis of the regional lynx mapping criteria, this claim is unprofessional and arbitrarily and capriciously derived. With the close proximity of the LCM to the Strawberry Wilderness, this adjacent area may be part of an important lynx travel corridor or an extended nocturnal/winter foraging area. Again the FONSI for this project has been issued unlawfully, and the EA's "analysis" is legally noncompliant.
- G. The EA is required to conduct a thorough analysis regarding one of the consequences of opening up the forest will be the expansion of OHV use and resultant further degradation of the area's soil, water quality, plant

communities, wildlife habitat, etc. This is a fundamental cumulative effects/cumulative impacts issue, which cannot be legally ignored as this EA has done. The EA admits that there is likely to be a future increase in OHV use, yet fails to disclose or analyze the potential adverse ecological effects of this consequent increase. Yet another instance wherein the FONSI is unlawful, and the EA inherently and fatally flawed.

- H. Despite the John Day RMP clearly emphasizing the need to expand the range of steelhead-trout, the EA fails to address doing so by replacing or removing culverts that block fish passage. This needed restoration action must be an integral part of all the LCM action alternatives (especially the one purporting to be named for our organization, the BMBP, alternative "B"). This issue, and that of water quality, sedimentation, and erosion, as well as water temperature increases, and increased peak flows resulting from the proposed removal of forest cover, must all be comprehensively addressed in a new legally compliant NEPA analysis.
- I. Neotropical migrant and native birds which are forest-canopy dependent are known to be imperiled by significant and continuing population declines, due largely to logging projects such as the proposed LCM project. However, the LCM EA fails to address this issue, or to disclose any of the pertinent science concerning these species. Among the research which needs to be disclosed to the decision-maker and the public in a new NEPA document, is the study "Avian Population Trends" by Brian Sharp. This study addresses the continuing decline in populations and loss of viable nesting habitat in the NW, including the Blue Mountains region of Oregon, and is extremely crucial to this projects design and development. The proposed LCM project must be withdrawn until this issue is adequately addressed in a new NEPA document--unless alternative B is modified to encompass the entire area (which includes addressing this issue within its actions). The unlawfully released FONSI must also be withdrawn.

VI. Additional concerns and issues from a legal and social perspective:

- A. The project is among this season's first green sales utilizing the "fire scare" "fire prevention" guises put forward by the timber industry and the Bush administration (McInnis et al). The LCM EA is based upon fraudulent and distorted misinformation. Implementation of most of the EA's alternatives would open the area's remaining mature forest canopy-closure to solar drying and actually increase the risk of severe fires to both Little Canyon Mountain and the adjacent Wilderness. The proposed logging in alternatives C through F would result in increased risk of fire and death to area residents, due to the long-term impacts from increased solar exposure—and consequent loss of the area's forests ability to retain moisture in the summer dry season, as well as from logging slash, logging operations, increased OHV use, and human activities in the area. The narrow scope of the agency's distorted application of our organization's restoration recommendations for the area, would also fail to address the full extent of needed restoration actions on LCM (this could be easily

rectified by expanding alternative B's actions to cover the entire LCM area—including its necessary buffer provisions as well as its thinning ones—as addressed elsewhere *infra*). Our organization sincerely hopes we never have to later say “we told you so,” to both BLM and area residents in the aftermath of a logging-caused or intensified fire, but the continued denial of similar experiences by numerous others elsewhere will only serve to further imperil both the natural ecosystem, and area residents.

1. There is a need for conservation based true restoration in the project area. This proposed project, with its inclusion of alternative B, actually offers a viable restoration proposal—once the agency's misunderstanding—or intentional sabotage—of it is rectified, and it is applied to the entire LCM area. The agency has also stated that they can choose to use some portions of the various alternatives in different parts of the project area--eg: using alt. B in areas adjacent to the Wilderness, and in mature forest habitat, while also using modified versions of their logging alternatives in areas adjacent to human habitation, etc. Whether BLM will go this route, uphold federal laws and agency integrity, and utilize the wisdom and effectiveness of conservation science depends in large part on the societal whimsy of current politics (the McNinnis bill's fate, eventual court overturn of this bill, this sale, or others which may temporarily pass, etc) as it does upon the area's communities and the conservation community's cooperation/participation. For our part we remain open to working out a cooperative restoration project which does not adversely impact the area's ecosystems, wildlife, fish, or area residents.
2. The project uses false "historical stand composition" formulas. In this instance, using stand composition from circa 1900, after the area was decimated by logging, mining, fires, and livestock grazing repeatedly in the latter half of the 1800's. The agency now is attempting to claim that these conditions were the "pre-European settlement" stand composition. Similar, though blatantly more egregious, to the FS claims in Idaho and Montana exposed by Keith Hammer in his "Ponderosa Poster Child" expose', these false formulas need to be exposed and stopped (as addressed in detail *infra* above).

VI. Fire Issues and Concerns in addition to the above:

- A. There are several things about this EA that we like: the purported intention to restore the area's forests to true pre-European settlement conditions where possible, the inclusion within the EA of our restoration principles (even though their interpretation has been botched by the agency), the recognition that fuel reduction efforts are never complete and must be maintained by future prescribed fire, and the recognition that the area's fire hazard is actually increased by logging the forest and opening up the canopy; allowing young trees and brush to grow (EA page 107),

- B. Our organizations support careful ecologically compliant fuel reduction efforts to protect communities, including the needed restoration of degraded ecosystems. However, it is dismaying to see yet another “fuel reduction” and purported “restoration” project which is in truth just another attempt to fill the coffers of the timber industry at the expense of the ecological integrity of the area and the well-being of area residents. Given the political and timber industry pressure, and stranglehold upon the intelligence of the area’s communities (and the pResident for that matter), there exists far too much incentive to log-off many of the old growth and mature trees. The LCM EA’s implementation would create, and compound, more problems than it could possibly “solve” from both a fuel perspective and an ecological perspective. If however, the only “true problem” BLM perceives or seeks to really address is how to put more profit-money into wealthy timber company hands, then perhaps the unlawful selection of alternatives C-F is the choice the agency will foolishly make?
- C. The current EA fails the requirements of the NEPA, and its implementation would clearly violate FLPMA, CWA, and the ESA, as well as Oregon State laws and policies. Lawfully, a new legally compliant EIS must be conducted for this project. However, in lieu of this, given the potential current fire risks coupled with another impending hot summer, the BLM could mix and match parts of the different alternatives to arrive at an ecologically, socially, and legally acceptable proposal:
- a. The LCM project should focus on reducing fuels in the community zone within ½ mile of communities with more than 250 people per square mile. The BLM should also be working with private landowners to take “firewise” steps to protect their homes and other structures.
 - b. Outside the community zone the BLM should be focusing on the following activities: (a) reducing the extremely high road density, (b) removing small material less than 12 inches in diameter in selected locations (mostly Ponderosa pine ecosystems, (c) reintroducing fire, (d) controlling OHV use, (e) stop diversion of the irrigation ditch and mud-bogging in the pit, (f) protect the values of the Strawberry Mountain Wilderness, (g) replace or remove culverts that block fish passage, (h) implement alternative B—in its entirety--where ecologically applicable across the LCM area.
- D. The ecological and hydrological costs of commercial logging with heavy equipment far outweigh the fuel reduction benefits. This is because the BLM cannot hope to control fire at the landscape level, which is what they appear to be trying to do in this project. Without a doubt, at some point in the future, there will be an extreme fire event during extreme weather conditions and nothing the BLM does to treat these stands will significantly change the outcome of near complete loss of canopy. Given the reality that logging is largely ineffective, we can conclude that logging is largely unnecessary, so we do not have to accept the ecological costs of logging. The only exception to this is that the BLM should cooperate with

the local community to take steps to protect houses by conducting treatment in the community zone. Jack Cohen's research clearly shows that "firewise" modifications to the structures themselves (metal roofs, etc) and treatment of immediately adjacent areas is all that is really required to protect homes.

- E. The EA must better address the possibility that this project will actually increase fire risk and fire hazard:
 - a. by increasing road access and human ignition risks,
 - b. by creating activity fuels which may or may not get treated,
 - c. by removing large trees which are least likely to burn,
 - d. by decreasing canopy closure and shade, with the consequent loss of the area's ability to retain moisture in the dry season, thereby drying out ground fuels and increases growth of flammable brush.
- F. We herein request a copy of Appendices D, F, I, M, N, P, and Q. Also, we request copies of the applicable "timber management plan" and "wildlife management plan" that are referred to in the John Day RMP, as well as the mule deer winter range monitoring results required in the RMP. If necessary, consider this a FOIA request for this information, thank you for complying with this request within the time period mandated by federal law.
- G. The EA should have better disclosed the timber volume to be removed and the size of the larger trees to be removed. The public and the decision-maker need to know this information to evaluate the impacts. The new EIS/EA must disclose this information at the onset, utilizing mmbf figures with which the monitoring public is by now familiar.
- H. The EA should also have identified a preferred alternative to help the public focus their comments, and must do so in a new NEPA document.
- I. The FONSI should not have been signed. The decision-maker must take public comment before signing the FONSI. In this case the project will have significant impacts and an EIS should be prepared. Significant impacts include: soils, mule deer winter range, road density, fuel reduction that is ineffective control of fire at the landscape level, snag habitat, wildlife issues, the numerous legal deficiencies noted above, water retention and quality, OHVs, etc...
- J. The 1985 John Day RMP/ROD is an outdated and inadequate management plan and cannot be legally utilized to guide management. The RMP lacks any real management requirements and amounts to merely a long list of things to consider. The RMP document is archaic, in contravention to many scientific agency conservation goals, and must be updated or amended.
- K. The EA fails to disclose the cumulative impacts on soils. The existing level of soil disturbance and compaction must be disclosed and added to the soil disturbance expected from this project and any future projects. With this area's history of excessive road construction, and extensive mining, grazing, logging, OHVs use, as well as fire issues, soils are a

significantly serious issue. The new NEPA documentation for this project must address these issues.

In conclusion, we have the following, previously released statement which we include herein as it addresses these many issues comprehensively. We request that it be re-read as it appears that our words, and intent, were not heard when first expressed:

Little Canyon Mountain appears to have become the most recent focus of a long-standing controversy polarizing residents of this area. The current fire risks found within the area have not occurred overnight. The roots of the concerns found on Little Canyon Mountain go back through the decades of management and settlement in this area. The logging of many of the area's inherently fire resistant old growth trees has left a varied mosaic of dense young thickets as well as areas of sparse forest cover, interspersed with mature and residual old growth forest. Area moisture retention and soil resiliency has been adversely affected due to compacted soils from logging, livestock grazing, and to some extent off road vehicle use in this case as well. Loss of viable habitat for the many species which help keep defoliating insect populations in check, has combined with decreased soil health and loss of area moisture retention (both due to compacted soils and increased peak flows) affecting area trees, resulting in increased mortality in some areas. Left over logging (and firewood) slash, debris, excessive numbers of dead trees, invasive brush, grasses, and dense young fire prone thickets combined with a dry hot summer and lightning amount to a recipe for potential disaster. Add to this the close proximity of area homes, and we have a condition which needs urgent attention. However, this fire risk has been years in the making. It is unfortunate that area residents are only now beginning to notice the adverse impacts of decades of short-term industry profit-driven management. Having lost my own home and some of our livestock in a logging caused fire during the dry summer months (due in large part to similar area conditions) I have considerable empathy for the current plight of area residents. Yes, some immediate work needs to be done, as our organization would not wish such a catastrophic fire fate upon anyone.

Our organization has acted to expedite the process of necessary restoration on Little Canyon Mountain. We contacted both the BLM and the City Manager of John Day, expressing our support for immediately needed fire danger reduction work in the urban/residential and wildlands interface area of Little Canyon Mountain. Our project would support a Categorical Exclusion from lengthy NEPA documentation for a project which would thin fire prone young trees, remove lower limb ladder fuels which could carry fire into the forest canopy, and address other excessive fuel loads (drying abundant invasive grasses and weeds, debris, slash, etc.). Helping area residents to fire proof their homes and create a defensible space around them is also an essential part of this needed work. BLM is working on this, and hopefully it will be implemented soon, as the first stage in addressing this issue. When conditions permit, a controlled burn, reintroducing fire safely to this area will also help considerably in reducing the risk of severe fire. Unfortunately, this should have begun well before the dry fire-prone conditions which now exist, as the utilization of fuel powered saws and machinery carries with it its own inherent risks of starting a fire. Ideally as well, the integrity of the area's ecosystem would have never been allowed to become unraveled to the point it is at today, if it had

been better cared for. However, such hindsight does not help alleviate the current needs or issues.

Long-term experience, abundant in-the-forest evidence, and credible scientific research all clearly shows that live old growth trees rarely ignite themselves as a crown fire. Nature does not commit “eco-cide”, the old large live trees being fire resistant and having survived centuries of recurrent area fires. However, when excessive smaller diameter dead trees, slash, fine flash fuels such as dry needles, branches, grasses and weeds exist, combined they can intensify area fires. Dead understory trees and lower limbs can act as ladder fuels carrying the fire into the forest canopy, becoming a crown fire. In this manner, it is true, live old growth trees will also burn—especially in a dry year. Excessive fuel loads around large diameter tall snags, will also help exacerbate potential for a crown fire if these snags are struck by lightning. And it is also true, that if all the trees are cut, you won’t have a forest fire (perhaps just a grass and brush fire). Choosing to live in a forest ecosystem carries certain inherent risks, and fire is a seasonally present one of these risks. Yet, conservative methods can be readily and reasonably employed to significantly reduce these risks. The forests of this area are an ecological treasure for those presently here and the heritage of generations yet to come. These forests are also homes to the area’s wildlife, from cover for deer, elk, and bobcats, to nesting and roosting places for numerous native and neotropical migrant songbirds. Part of our implicit responsibility as residents of this region, is to manage as good stewards both these lands, and our ever insatiable societal economies, to maintain a healthy long-term sustainable, ecologically viable balance, between human society and wild nature, beyond the generations. To this end, as an organization dedicated to giving a voice for nature, wildlife, and fisheries, we are continuing to work. As the second phases of the Little Canyon Mountain project are developed, it remains to be seen if they will abide by the needs of the land, area residents, and wildlife, utilizing credible science, fire ecology, and conservation biology. To the extent that they do, such proposed projects will receive our support. To the extent that they are misused and abused as guises to further degrade area forest ecosystems, imperil yet more wildlife species, while lining corporate timbers’ profiteering pockets with short-sighted dollars, we will oppose them. At issue here is not only ecological sustainability, but agency and societal professional integrity and honesty as well. Little Canyon Mountain gives us all another opportunity; an opportunity for dialogue, respect for the existent diversity of opinions, mutual education, and the potential for a successful cooperative project which both alleviates the present unacceptable fire risk, addresses the current polarized and closed community mindset, and enhances and restores the area’s forest ecosystem for generations yet to come. Such is the current challenge before us all, as we move forward into the uncharted realms of the future.

If this proposed project is truly concerned with reducing fire risk, clean up of refuse, and restoration then we expect it to abide by credible science, the needs of the land and wildlife, and environmental policy laws. If the proposed project, in conforming with scientific research and ecological needs, would: 1. cut no trees > 12” dbh (above which dbh trees are not a significant source of fire risk), 2. remove slash debris, 3. remove lower limb ladder fuels, 4. where feasible implement controlled burns, 5. remain out of riparian areas, 6. buffer all nest trees, --including conducting adequate surveys to find them, 7. clean up trash and debris, and 8. take needed steps to minimize or eliminate ORV

degradation, then it is likely our organization, and other conservation organizations would endorse the project. However, the content of both the EA for this proposed project, as well as the John Day Blue Mountain Eagle's editorials and letters section (as well as passage of the recent illegal initiative), contain statements advocating the commercial logging of large diameter trees. Yet trees above 12" dbh are not fire risks unless there is an overabundance of smaller diameter flash fuels such as logging slash, debris, small understory trees and dead limb ladder fuels. Additionally, trees 15" dbh and above are the preferred habitat for numerous species, among these: several species of woodpeckers, and numerous species of native and neotropical migrant birds—as well as others. It is the combined foraging efforts of these many species which help keep insects and diseases in check and our forests healthy. Contrary to apparently rampant area misinformation, nature is not committing “eco-cide”. These forests have evolved with insects, disease, and fire as integral components of their ecosystems. It has only been with the “over-management”, excessive logging, road building, fire suppression, and livestock grazing (and the consequent depletion of many wildlife and fisheries populations) that the area's ecosystems have become imperiled. Large diameter trees are inherently fire resistant, in part due to their thick bark as well as extensive root –moisture gathering—systems. Many of the large diameter trees have survived centuries of repeated fire exposure. Yet most of these trees have been removed by over-logging. To ensure eventual ecosystem recovery and viability, all remaining large diameter trees must be retained. Mature trees which will eventually become old growth, should also be retained.

Fire risk resides in areas of unnaturally dense young thickets, areas of high concentrations of dead ladder fuels, and areas of excessive logging slash and debris. Large and mature diameter standing dead snags are also needed for wildlife habitat, as these are in diminished supply throughout much of the Blue Mountains. Outside of the immediate urban interface area (between 50 to 1000 feet depending upon terrain, prevailing wind directions, and vegetation types) large diameter downed logs also serve as wildlife habitat and soil nutrient sources. These logs typically retain a lot of moisture within their decaying fungus laden fibers. Without abundant smaller diameter fuels nearby, they often will not ignite sufficiently to fully burn during a ground fire. If the above recommended measures are taken, most of these large logs can be retained as well, outside of the interface boundaries.

Lastly, as the need to address fuel loads and current fire risk remains imperative, and the timeline for completing a new NEPA document (EIS/EA) would delay action beyond this coming fire season, our organization would accept this project's implementation if it is modified so many of the above listed conditions and stipulations are met. We are open to further negotiation on this if it will help to clarify intentions, and successfully move this project through—as a restoration project--without the delays of judicial review. If however, this proposed project devolves into an ecologically unnecessary profiteering attempt to commercially log large and mature trees under the guise of “fire prevention” we will work with other conservation organizations and attorneys to do all we can to modify the project to consistency with ecological needs and prevent irreparable egregious harms to area ecosystems and wildlife. If ecological concerns necessitate appeals and litigation, so be it. We do not take this position out of either malice or dogmatic beliefs, but because we are an ecological and wildlife advocacy organization, whose mission in

part is to help bring human societies into balance with nature, for long-term mutual sustainability and viability. The choice of which of these paths are embarked upon awaits your decision. We herein offer our cooperation in developing a successful project consistent with ecological, wildlife, and community needs and consistent with credible conservation science as well as federal laws.

For the Forests, Fish, and Wildlife, and for a healthy community in sustainable balance with nature,



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cc WELC
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EJ, etc...

Additional comments on LCM which must be considered:

A) A significant portion of Little Canyon Mtn is uninventoried roadless and partially contiguous with the Strawberry Mtn wilderness, i.e. you can walk from LCM to SMW without crossing a road. Roadless areas greater than about 1,000 acres, whether they have been inventoried or not provide valuable natural resource attributes that must be protected. These include: water quality; healthy soils; fish and wildlife refugia; centers for dispersal, recolonization, and restoration of adjacent disturbed sites; reference sites for research; non-motorized, low-impact recreation; carbon sequestration; refugia that are relatively less at-risk from noxious weeds and other invasive non-native species, and many other significant values. See Forest Service Roadless Area Conservation FEIS, November 2000. This project involves activities in such unroaded areas. The NEPA analysis for this project does not adequately discuss the impacts of proposed activities on all the many significant values of roadless areas.

Recent scientific literature emphasizes the importance of unroaded areas greater than 1,000 acres as strongholds for the production of fish and other aquatic and terrestrial species, as well as sources of high quality water. Henjum, M.G., J.R. Karr, D.L. Bottom, D.A. Perry, J.C. Bednarz, S.G. Wright, S.A. Beckwitt and E. Beckwitt. 1994. Interim Protection for Late-Successional Forests, Fisheries, and Watersheds: National Forests East of the Cascade Crest, Oregon and Washington. A Report to the Congress and President of the United States. Rhodes, J.J., D.A. McCullough, and F.A. Espinosa. 1994. A Coarse Screening Process: Potential Application in ESA Consultations. Technical Report 94-4. Prepared for National Marine Fisheries Service.

Also, consider the conclusions and recommendations of the Road Density Analysis Task Team:

"Unroaded and low road density areas potentially represent areas in which the aquatic ecosystems are still operating with minimal human disturbances. Areas like these that provide for high quality habitat and stable fish populations are important refugia and a cornerstone of most species conservation strategies.

...

"Even well engineered roads act as conduits for sediment (Filipek 1993). Lee et al. (1997), also note that although improvements in road construction and logging methods can reduce sediment delivery to streams, sedimentation increases are unavoidable even when using the most cautious logging and construction methods.

"As stated in the Biological Opinion for bull trout (USFWS 1998), there is no positive contribution from roads to physical or biological

characteristics of watersheds. Under present conditions, roads represent one of the most pervasive impacts of management activity to native aquatic communities and listed fish species.

...

"RDAT Recommendation (4): The Regional Executives provide direction the field units that allow for road construction in undesignated low road density areas only after completion of the mid/fine scale analysis of these areas.

"Regional Executive Decision: While we agree that avoiding road construction in low road density areas with high to very high fish values may be desirable, we also recognize that providing direction precluding such development could conflict in some instances with our legal obligations under laws such as the Alaska National Interest Lands Conservation Act (ANILCA) and the 1872 Mining Laws. Rather than total precluding such development, the BLM State Directors and Regional Foresters, through this transmittal letter, direct field units as follows:

"A. Avoid new road construction in low road density areas to the extent practical, consistent with existing authorities and LRMPS, but keep in mind that in some cases the need to remove hazardous fuels may be paramount for long term watershed restoration,

"B. Decisions to allow new road construction in low road density areas should not be made without an assessment of environmental effects, including any changes to the value of the low road density area as a current or potential stronghold for listed aquatic species. This assessment and/or analysis should also consider the amount of acreage within the watershed already in Wilderness and inventoried roadless areas, and

"C. Where new road development in low road density areas cannot be avoided, road location and design should minimize effects to aquatic resources and incorporate practical mitigation measures, including closure or decommissioning of the road if the need for the road is temporary.

QUOTED FROM: Land Management Recommendations Related to The V Road Density Areas In the Conservation of Listed Salmon, Steelhead, and Bull Trout: A Commitment made as part of the Biological Opinions For Chinook Salmon and Steelhead (Snake River and upper Columbia River) a Bull Trout (Columbia and Klamath Rivers-areas not covered by the Northwest Forest Plan); Final Report; January 30, 2002; Prepared by the: Road Density Analysis Task Team.

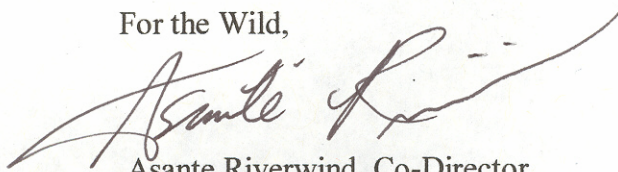
<http://www.blm.gov/nhp/efoia/or/fy2002/ib/ib-or-2002-134.htm>

The roadless character of LCM is a significant issue that should be addressed in an EIS.

B) WEEDS: On Earthday 2003 Forest service Chief Dale Bosworth said that more attention needs to be paid to beating back invasive species. Opening up the canopy and disturbing the soil through road building and logging as proposed in this project could spread non-native weeds far and wide. The invasive weed sites in the analysis area and along all log and gravel haul routes should be fully inventoried and documented as part of the NEPA process for this project. In the absence of valid and complete weed survey information, harvest and road and fuel treatment activities planned as part of this project might exacerbate the problem instead of contain it.

We find it highly unlikely that conducting ground disturbing activities over so many acres of this planning are will not make the weed problems worse instead of better. The fact that logging will open up the forest and will likely allow a long-term expansion of OHV use makes this issue even more significant. These weeds are "a slow motion explosion" that should not be taken lightly. It is often better to just close roads and avoid ground disturbing activities while sending crews in to do hand-pulling of weed infestations as necessary.

For the Wild,

A handwritten signature in dark ink, appearing to read 'Asante Riverwind', with a long, sweeping horizontal line extending to the right.

Asante Riverwind, Co-Director
LOWD-BMBP;

And for: Susan Jane Brown, NEDC
James Johnston, CWP
George Wilson, JGSC